

patent are such features set forth. Since a rejection under §102 of the Statute requires disclosure of each and every element of a claimed invention in a single reference, rejection is inappropriate since Nobe does not disclose the use or structure of a portable enclosure. In addition, although the Examiner states that Nobe discloses at column 3, lines 54-57 "the speed of the individual while engaged in the activity," Applicant disagrees. Reference is made to column 3, lines 54-57 of the Nobe patent, wherein it is disclosed that sensor outputs "angular speed data." This is not the same as "velocity."

Claims 20-21 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nobe et al in view of Brisson ('188 of record). As the Examiner points out, Nobe does not specifically disclose a sports-related activity in the form of a bicycle riding. However, nor does Nobe et al contain any teaching or suggestion whatsoever that the navigation apparatus disclosed therein would be applicable to bicycle riding. On the other hand, Brisson is entirely devoted to bicycle riding, and makes no mention of the type of navigation apparatus disclosed by Nobe et al.

The combination of these references is therefore inappropriate under §103 of the Statute, since suggestion for the combination must come from the references, and not Applicant's own disclosure. There must be something in the prior art that suggests the combination other than the hindsight gained from knowledge that the inventor chose to combine these particular things in this particular way. Uniroyal Inc. v. Rudkin-Wiley Corp., 837 F.2d 1044,

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1051, 5 USPQ2d 1434, 1438 (Fed. Cir. 1998). In this case, the references themselves do not provide any such teaching or suggestion.

Based upon the foregoing amendments and comments, Applicant believes all of the remaining claims are in condition for allowance, and notice to that effect is solicited at this time. Questions regarding this application should be directed to the undersigned attorney at the telephone and facsimile numbers provided.

Respectfully submitted,

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